

July 15, 1998

**Comments by Alex Hildebrand on July 8, 1998 Draft Entitled  
Developing a Draft Preferred Program Alternative**

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- 1) Page 6, 2a. The issue is not just economics. More expensive water treatment may be necessary to avoid the adverse impacts of a canal.
- 2) Page 6, 2d. There must not just be a commitment to preserve the Delta, There must be assurances that the commitment is implementable including necessary permits and financing for any facilities and O and M costs needed to protect Delta in-channel water supplies.
- 3) Page 6, 2k. The agreement must address long term operating assurances, not just "initial operating criteria".
- 4) There must be a clear commitment to increase the available water supply at least sufficiently to meet future water needs for environmental and urban purposes. If this is not done the water for those needs will obviously be reallocated by various means from an agricultural supply that is already inadequate to grow an adequate and nutritious food supply for the 2030 population. The commitment should be to achieve a specified and adequate increased water yield, not just reservoir space. The optimum mix of offstream, onstream, and subsurface storage space to produce this yield can then be determined.

Increased yield can only derive from capture of flood releases. All other Central Valley water is already being beneficially used. Water is not created under ground. Groundwater is percolated surface water. Offstream and underground storage space can not be filled fast enough to capture short term flood releases. These storage spaces are primarily useful to receive flood water first captured in onstream reservoirs. Furthermore, they are typically large power consumers instead of power producers.

- 5) Page 7, 4c. The financial burden for replacing water previously taken from agriculture such as by the CVPIA should not be a burden on those receiving the replacement water.
- 6) Page A-2. The effort is to "facilitate" water transfers. Whether doing so is "efficient" in the long term social interest is debatable. The reference should also be expanded to say "while providing protection for all legal users of water other third party impacts-----" The water transfer framework should also state that conflicts will be avoided with land use policy, e.g., the purpose of Williamson Act dedications of land to agriculture should not be frustrated by the marketing of water appurtenant to those lands.

- 7) Page A-4. The Ecosystem Restoration Plan should be determined to be compatible with the State and Federal Comprehensive Flood Control plans.
- 8) Page A-4. The water quality program must include enforcement measures.
- 9) Page A-5. Groundwater banking and conjunctive use must be implemented only with support of the landowners overlying the groundwater basin, and those landowners' rights to the groundwater must not be compromised by the use of the basin for storage of water by appropriate water right holders or water imported for storage.
- 10) Page A-6. The statement should be expanded to state that an isolated facility would only be built if the "through Delta conveyance can not be altered to meet program goals, and only if it could be built while assuredly protecting the Delta and its inchannel water supply.
- 11) Page B-3. The word "efficiency" should be stricken and the sentence expanded so as to read "designed to facilitate the water transfer process while protecting all legal users of water and addressing and avoiding or mitigating other third party impacts and local groundwater or environmental impacts".
- 12) Page B-4. Item 8 should be expanded to say "without exacerbating problems of regional salt imbalance and/or water quality problems for downstream or groundwater diverters.
- 13) B-7 Item 7. It has not been determined how much water acquisition is compatible with a properly qualified CalFed water transfer policy.
- 14) B-7 Item 9 should again require compatibility with comprehensive flood control plans.
- 15) B-8 Item 3. Reduction in organic carbon is not always desirable. It is part of the food chain.
- 16) B-8. A ninth Water Quality item should be added to address solutions to regional salt imbalances.